



## NEWS RELEASE

### JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS

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### SUMMARY OF CASES ACCEPTED DURING THE WEEK OF JULY 19, 1999

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#99-104 In re Marriage of Bonds, S079760. (A075328, A076586; 71 Cal.App.4th 290, mod. 72 Cal.App.4th 94d.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a marital dissolution action. This case concerns whether, in reviewing the validity of a premarital agreement in which one party was not represented by counsel, the court must strictly scrutinize the circumstances surrounding the execution of the agreement and assign great weight to the lack of counsel in making its assessment (See Fam. Code, § 1615(a).)

#99-105 People v. Bucy, S079413, (G022487; 71 Cal.App.4th 589.) Petition for review after the Court of Appeal affirmed an order denying a motion to reinstate a felony complaint.

#99-106 People v. Gangbin, S079297. (A083992.) Unpublished opinion. Petition for review after the Court of Appeal affirmed an order denying a motion to reinstate a felony complaint.

(over)

#99-107 People v. Tobias, S078845. (H018163; 71 Cal.App.4th 875.)  
Petition for review after the Court of Appeal reversed an order dismissing felony counts.

Bucy, Gangbin, and Tobias all present issues, concerning the constitutionality of the legislative revival of an expired statute of limitations, which are related to the issue before the court in People v. Frazer, S067443. (See #98-30.)

#99-108 Kazi v. State Farm Fire & Casualty Co S078962. (B089804; 70 Cal.App.4th 1288.) Petitions for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. The court limited review to issues concerning 1) whether interference with an easement right is “property damage” to “tangible property” giving rise to a duty to defend under various liability insurance policies and 2) whether the Court of Appeal incorrectly categorized part of the underlying action as involving physical property damage.

#99-109 Resendiz on Habeas Corpus S078879. (G023901; 71 Cal.App.4th 145.) Petition for review after the Court of Appeal granted habeas corpus relief. This case concerns whether, when a defendant in a criminal case, prior to the entry of a guilty plea, was advised by the trial court with regard to the possibility of deportation as provided in Penal Code section 1016.5, the defendant may challenge the guilty plea on the basis of his counsel’s alleged failure to investigate the actual immigration consequences of the plea and counsel’s alleged misadvice as to such consequences.

#99-110 People v. Taylor, S079437. (B118522; 71 Cal.App.4th 693.)  
Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning whether the trial court

erred in denying defendant's request for a claim of right instruction in a burglary prosecution, which is related to an issue before the court in People v. Tufunga, S072486. (See #98-131.)

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